

IN THE CLAIMS

Please amend the claims as follows:

1-9. (Canceled)

10. (Previously Presented) A communication method for a communication system including a base station and a terminal, the terminal transmitting a data as a new data to the base station, and upon receiving an NAK signal indicating a reception failure from the base station as a response to the transmission of the new data, transmitting the data as a retransmission data to the base station, the communication method comprising:

a first step

for the base station to transmit information on a value of a resource for data transmission that is used for a communication between the base station and the terminal;

a second step

for the terminal to receive, from the base station, information on the value of the resource for data transmission;

a third step

for the terminal to transmit a new data to the base station based on the value of the resource for data transmission; and

a fourth step

for the terminal, to transmit a retransmission data to the base station regardless of the value of the resource for data transmission, in case the new data is transmitted to the base station at the third step and the NAK signal is received from the base station as a response to the new data.

11. (Previously Presented) A communication system, comprising:
  - a base station; and
  - a terminal that transmits a data as a new data to the base station, and upon receiving an NAK signal indicating a reception failure from the base station as a response to the transmission of the new data, transmits the data as a retransmission data to the base station, wherein
    - the base station includes
      - a first unit to transmit information on a value of a resource for data transmission that is used for a communication between the base station and the terminal,
    - the terminal includes
      - a second unit that receives, from the base station, information on the value of the resource for data transmission;
      - a third unit that transmits a new data to the base station based on the value of the resource for data transmission; and
      - a fourth unit that transmits a retransmission data to the base station regardless of the value of the resource for data transmission, in case the new data is transmitted to the base station by the third unit and the NAK signal is received from the base station as a response to the new data.

12. (Previously Presented) A communication method for a terminal that builds a communication system with a base station, the terminal transmitting a data as a new data to the base station, and upon receiving an NAK signal indicating a reception failure from the base station as a response to the transmission of the new data, transmitting the data as a retransmission data to the base station, the communication method comprising:

a first step for receiving, from the base station, information on a value of a resource for data transmission that is used for a communication between the base station and the terminal;

a second step for transmitting the new data to the base station based on the value of the resource for data transmission; and

a third step for transmitting a retransmission data to the base station regardless of the value of the resource for data transmission, in case the new data is transmitted to the base station at the second step and the NAK signal is received from the base station as a response to the new data.

13. (Previously Presented) A terminal that builds a communication system with a base station, the terminal transmitting a data as a new data to the base station, and upon receiving an NAK signal indicating a reception failure from the base station as a response to the transmission of the new data, transmitting the data as a retransmission data to the base station, the terminal comprising:

a first unit that receives, from the base station, information on a value of a resource for data transmission that is used for a communication between the base station and the terminal;

a second unit that transmits a new data to the base station based on the value of the resource for data transmission; and

a third unit that transmits a retransmission data to the base station regardless of the value of the resource for data transmission, in case the new data is transmitted to the base station by the second unit and the NAK signal is received from the base station as a response to the new data.

14. (New) The communication method according to claim 10, wherein in the fourth step the retransmission data is transmitted after a predetermined time defined between the terminal and the base station has elapsed since reception of the NAK signal.

15. (New) The communication method according to claim 10, wherein in the fourth step the retransmission data is transmitted at a coding rate lower than an initial coding rate used in the third step.

16. (New) The communication system according to claim 11, wherein the base station further includes a scheduling unit configured to estimate a transmission time zone for retransmission data transmitted by the terminal, and the first unit transmits information on the value of the resource for data transmission to another terminal that requests resource assignment from the base station, the information on the value of the resource for data transmission incorporating the estimated transmission time zone estimated by the scheduling unit.

17. (New) The terminal according to claim 13, wherein the third unit transmits the retransmission data to the base station after a predetermined time has elapsed since the NAK signal is received, the predetermined time defined between the terminal and the base station.

18. (New) The terminal according to claim 13, wherein the third unit transmits the retransmission data to the base station at a coding rate lower than an initial coding rate used by the second unit.

19. (New) The communication method according to claim 14, further comprising:

a fifth step for the base station to estimate a transmission time zone for the retransmission data transmitted in the fourth step; and

a sixth step for the base station to transmit information on the value of the resource for data transmission to another terminal that requests resource assignment from the base station, the information on the value of the resource for data transmission incorporating the estimated transmission time zone.